

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

)	
DANIEL PLAUT, Individually and on Behalf)	Case No. 1:18-cv-12084-VSB
of All Others Similarly Situated,)	
)	
Plaintiff,)	NEBRASKA INVESTMENT
vs.)	COUNCIL’S RESPONSE TO
)	COMPETING MOTIONS FOR
THE GOLDMAN SACHS GROUP,)	APPOINTMENT AS LEAD
INC., LLOYD C. BLANKFEIN,)	PLAINTIFF AND APPROVAL OF
HARVEY M. SCHWARTZ and R.)	SELECTION OF LEAD COUNSEL
MARTIN CHAVEZ,)	
)	
Defendants.)	

On February 19, 2019, Nebraska Investment Council (“Nebraska”) timely filed its motion for appointment as lead plaintiff and approval of selection of lead counsel pursuant to Section 21(D)(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”).

The PSLRA provides that the “court shall adopt a presumption that the most adequate plaintiff” is the movant with “the largest financial interest in the relief sought by the class” that “otherwise satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure.” 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I). Having reviewed the competing motions and supporting papers submitted by the other movants, it appears that Nebraska does not have the “largest financial interest” in the above-captioned action.

However, Nebraska remains willing and able to serve as lead plaintiff or as a named class representative if the Court determines that the other lead plaintiff movants are incapable or inadequate to represent the class or for any other reason. Nebraska reserves any and all rights to participate in any recovery in the action.

DATED: March 5, 2019

Respectfully submitted,

/s/ Christopher J. Keller

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